HONOURABLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.9929 OF 2006

DATE: 23-05-2006

Between:

Pyla China Thalli, W/o. Pyla Simhachalam,

aged about 56 years, Occ: House wife,

R/o. Door No.40-2-268, Santhinagar,

Kailasapuram Road, Visakhapatnam.

.. Petitioner

AND

The Mandal Revenue Officer,

Visakhapatnam (Rural), Visakhapatnam Dist.

.. Respondent

HONOURABLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.9929 OF 2006

ORDER:

The petitioner claims to have purchased an extent of 76 cents of land in Survey No.38 of Bakkannapalem village, Madhuravada Mandal, Visakhapatnam Mandal under the registered sale deeds dated 06-08-2004.

It is stated that earlier to the purchase, the petitioner was in possession of the land. His grievance is that the respondent is taking steps to destroy the cashew-nut crop and resume possession of the land without initiating any proceedings.
He seeks appropriate direction in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioner based his title to the land on two sale deeds. Even assuming that the land was assigned to the vendor of the petitioner or that it is the surplus land of any declarant,
the respondent is under obligation to issue show cause notice before taking any steps to resume the land from the petitioner.

Therefore, the Writ Petition is disposed of directing the respondent to follow the procedure prescribed by law before resuming the land from the petitioner.

_____

L. NARASIMHA REDDY, J

Date: 23-05-2006.

PV/KSN